



తెలంగాణ రాజ పత్రము
THE TELANGANA GAZETTE
PART-VII EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.39]

HYDERABAD, FRIDAY, AUGUST 3, 2018.

**NOTIFICATIONS RELATING TO THE ADMINISTRATION OF
PANCHAYAT RAJ**

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TELANGANA STATE ELECTION COMMISSION

4th ORDINARY ELECTIONS TO THE GRAM PANCHAYATS, 2013 - **JAYASHANKAR BHUPALAPALLY AND SIDDIPET DISTRICT** - RENDERING OF FINAL ACCOUNTS OF ELECTION EXPENSES - DISQUALIFICATION OF (03) DEFEATED CANDIDATES OF MPTCs OF JAYASHANKAR BHUPALAPALLY DISTRICT AND DISQUALIFICATION OF (03) DEFEATED CANDIDATES OF MPTCs/ZPTCs OF SIDDIPET DISTRICT, WHO FAILED TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SRI. KOTTE SHANKARAIHAH, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, MPTC GAREPALLU, KATARAM MANDAL IN JAYASHANKAR BHUPALAPALLY DISTRICT (ERSTWHILE KARIMNAGAR DISTRICT) DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(JSB)/2015-MPTC(1).- WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on

which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 & 12.07.2013 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Sri. Kotte Shankaraiah**, defeated candidate for the office of the Member, **MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)**;

AND WHEREAS, under rule 103 (4) of the said rules, the State Election Commission considered the same and under rule 103 (5) of TPR (Conduct of Election) Rules, 2006, the State Election Commission issued show cause notice vide No.739/TSEC-L(PR)/2015 (472), dt.07.10.2016 to **Sri. Kotte Shankaraiah**, defeated candidate for the office of the Member, **MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon him to show cause within 20 days from the date of receipt of the notice as to why he should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for his failure;

AND WHEREAS, the remarks of the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:27.05.2017 were not clear, as to whether the notice has been served to **Sri. Kotte Shankaraiah**, defeated candidate for the office of the Member, **MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District or not, a further report called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(JSBP)/2015, dt.9.08.2017. The Collector & DEA, Karimnagar got enquired and furnished the served copy of the candidate vide Lr.No.D2/313/2018, dt:24.04.2018 informed the Commission that, the above notice was served on 16.12.2016 to Sri. Kotte Shankaraiah, defeated candidate for the office of the Member, MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District) and stated that, he has not submitted election expenditure accounts within the stipulated period of 45 days from the date of declaration of results and not replied after the receipt of show cause notice issued by the Commission.**

AND WHEREAS, the State Election Commission is satisfied that **Sri. Kotte Shankaraiah**, defeated candidate for the office of the Member, **MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** has failed to lodge the account of his expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Sri. Kotte Shankaraiah**, defeated candidate for the office of the Member, **MPTC Garepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SRI. BONALA SATEESH, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, MPTC CHIDNEPALLY, KATARAM MANDAL IN JAYASHANKAR BHUPALAPALLY DISTRICT (ERSTWHILE KARIMNAGAR DISTRICT) DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(JSB)/2015-MPTC(2).- WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 & 12.07.2013 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)**;

AND WHEREAS, under rule 103 (4) of the said rules, the State Election Commission considered the same and under rule 103 (5) of TPR (Conduct of Election) Rules, 2006, the State Election Commission issued show cause notice vide No._739/TSEC-L(PR)/2015 (478), dt.07.10.2016 to **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon him to show cause within 20 days from the date of receipt of the notice as to why he should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for his failure;

AND WHEREAS, the remarks of the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:04.03.2017 were not clear, as **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District** had mentioned on the acknowledgment of the said notice that he has already submitted the election expenditure accounts at the time of elections, 2014 to the MPDO. A further report called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(JSBP)/2015, dt.9.08.2017. The Collector & DEA, Karimnagar got enquired and reported vide Lr.No.D2/313/2018, dt:24.04.2018 stating that, the above notice was served on 16.12.2016 to **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** and he has not submitted election expenditure accounts within the stipulated period of 45 days from the date of declaration of results and not submitted the same after receipt of show cause notice issued by the Commission.

AND WHEREAS, the State Election Commission is satisfied that **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** has failed to lodge the account of his expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Sri. Bonala Sateesh**, defeated candidate for the office of the Member, **MPTC Chidnepally, Kataram Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

DISQUALIFICATION ORDER FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF SMT. POTU SUSHEELA, DEFEATED CANDIDATE FOR THE OFFICE OF THE MEMBER, MPTC KALESHWARAM, MAHADEVPUR MANDAL IN JAYASHANKAR BHUPALAPALLY DISTRICT (ERSTWHILE KARIMNAGAR DISTRICT) DURING THE 4TH ORDINARY ELECTIONS HELD IN 2014.

No.739/TSEC-L(JSB)/2015-MPTC(3) .- WHEREAS, the Telangana Panchayat Raj Act 1994 and also 2018, mandates strict election expenditure monitoring regimen aimed at accountability and transparency. Election Expenditure ceilings are fixed so as to provide a level playing ground for all the contestants. Submission of election expenditure returns, their publication to elicit objections if any from other contestants and also people in general, serves as a barrier against abuse of money power in election process.

AND WHEREAS, the fourth ordinary elections to MPTCs/ZPTCs of Erstwhile Karimnagar District were conducted in the month of April, 2014 and the results were declared on 13-05-2014;

AND WHEREAS, the subject of Elections and Election Expenditure Accounts is regulated by Telangana Panchayat Raj Act, 1994 upto 18.04.2018 and thereafter the TPR Act, 2018. However the provisions pertaining to Election Expenditure are similar under both the Acts. Further Sub-Section (3) of Section 295 (Repealing and Saving) of TPR Act, 2018 enables the sustenance of the Orders, notices etc. issued under TPR Act, 1994 as being valid under the TPR Act, 2018.

AND WHEREAS, under Section 230-A of Telangana Panchayat Raj Act, 1994 and 237 of Telangana Panchayat Raj Act, 2018, every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date on which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its Order No.168/SEC-B1/2011, dated:18.05.2011 & 12.07.2013 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 230-B of Telangana Panchayat Raj Act, 1994 and Section 238 of Telangana Panchayat Raj Act, 2018, and Rule 100(2) of TPR (Conduct of Elections) Rules, 2006 and Rule 103(2) of TPR (conduct of elections) Rules, 2018, every contesting candidate at an election shall, within forty five days from the date

of declaration of result of the election, lodge with the competent Authority (Collector in case of 1994 Act and MPDO in case of 2018 Act), an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 230-A of TPR Act, 1994 and Section 237 of TPR Act, 2018.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to MPTCs/ZPTCS of Erstwhile Karimnagar District expired on 26.06.2014;

AND WHEREAS, the Chief Executive Officer, ZPP, Karimnagar has sent report with the approval of the competent Authority, Collector & District Election Authority, Erstwhile Karimnagar District vide letter Lr.No.D2/400/2014, dt:30.10.2015 furnishing a list of defeated candidates of Member, ZPTCs and MPTCs of Erstwhile Karimnagar District have failed to lodge final accounts of election expenses within the stipulated time of 45 days from the date of declaration of the results. One amongst the defaulters is **Smt. Potu Susheela**, defeated candidate for the office of the Member, **MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)**;

AND WHEREAS, under rule 103 (4) of the said rules, the State Election Commission considered the same and under rule 103 (5) of TPR (Conduct of Election) Rules, 2006, the State Election Commission issued show cause notice vide No. 739/TSEC-L(PR)/2015 (518), dt.07.10.2016 to **Smt. Potu Susheela**, defeated candidate for the office of the Member, **MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the Rules calling upon him to show cause within 20 days from the date of receipt of the notice as to why he should not be disqualified for a period of 3 years to contest any election to be held for any office under the provisions of Section 19-B of Telangana Panchayat Raj Act, 1994 for his failure;

AND WHEREAS, the remarks of the Collector & District Election Authority, Karimnagar District vide Lr.No.H4/3954/2015, dt:16.03.2017 were not clear, as in the column 10 & 11 i.e., the date and content of reply is given as “Yes” but date and content of reply of **Smt. Potu Susheela**, defeated candidate for the office of the Member, **MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District** is not given. **A further report called from the Collector & DEA, Karimnagar vide Lr.No. 739/TSEC-L(JSBP)/2015, dt.9.08.2017. The Collector & DEA, Karimnagar got enquired and furnished that, due to typing mistake in Col No.10 & 11 mentioned “Yes” vide Lr.No.D2/313/2018, dt:24.04.2018 and informed the Commission that, the above notice was served on 20.01.2017 to Smt. Potu Susheela, defeated candidate for the office of the Member, MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District) and stated that, she has not submitted election expenditure accounts within the stipulated period of 45 days from the date of declaration of results and not replied after the receipt of show cause notice issued by the Commission.**

AND WHEREAS, the State Election Commission is satisfied that **Smt. Potu Susheela**, defeated candidate for the office of the Member, **MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** has failed to lodge the account of his expenses as required by law and has no good reason or justification for the said failure.

NOW THEREFORE, in pursuance of Section 23 of Telangana Panchayat Raj Act, 2018 read with Section 19-B of Telangana Panchayat Raj Act, 1994 and Rule 106(7) of TPR (conduct of elections) Rules, 2018 read with Rule 103 (8) of TPR (Conduct of Election) Rules, 2006, the State Election Commission hereby, declares that **Smt. Potu Susheela**, defeated candidate for the office of the Member, **MPTC Kaleshwaram, Mahadevpur Mandal in Jayashankar Bhupalapally District (Erstwhile Karimnagar District)** to be ineligible for a period of 3 years from the date of issue of this order to contest any election for any office under the provisions of Telangana Panchayat Raj Act, 2018.

(BY ORDER AND IN THE NAME OF THE STATE ELECTION COMMISSIONER)

Hyderabad,
28-07-2018.

M. ASHOK KUMAR
Secretary.

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